United Nations A/55/949–S/2001/507

General Assembly
Security Council

Distr.: General
20 May 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 64
Question of Cyprus

Security Council
Fifty-sixth year

Letter dated 18 May 2001 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to refer to the letter dated 15 May 2001 from His Excellency Rauf Denktaş, President of the Turkish Republic of Northern Cyprus (TRNC), addressed to you, which I transmit herewith as an enclosure to a letter of the same date from His Excellency Aytuğ Plümer, Permanent Representative of TRNC in New York, also addressed to you (see annex).

I wish to inform you that the Government of Turkey fully concurs with the views expressed in the letter of President Denktaş. It goes without saying that obtaining the consent of all parties, in particular those of the directly interested parties, is one of the bedrock principles of peacekeeping, and that status of forces agreements and memoranda of understanding are essential instruments for defining the rights and obligations of a peacekeeping mission in an operational area, as underlined by the Brahimi and Advisory Committee on Administrative and Budgetary Questions reports, respectively (see A/55/305-S/2000/809 and A/55/874). However, the United Nations has yet to conclude an agreement with the Turkish Cypriot party that would outline the modalities of United Nations Peacekeeping Force in Cyprus (UNFICYP) operations in northern Cyprus. Moreover, the consent of neither TRNC nor Turkey was registered by the Security Council in the context of its last two resolutions (1303 (2000) and 1331 (2000)) on the extension of the mandate of UNFICYP.

In the coming weeks, your six-monthly report on the United Nations operation in Cyprus is expected to be published, which will be followed by the anticipated extension of the UNFICYP mandate by the Security Council.

In the light of the above and on the instruction of my Government, I would like to request you to kindly reflect the views of both TRNC and Turkey, as outlined in the present letter and its attachments, in your upcoming six-monthly report on the United Nations operation in Cyprus.

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I would also be grateful if the text of the present letter and its annex, including the enclosure, were circulated as a document of the General Assembly, under agenda item 64, and of the Security Council.

(*Signed*) Ümit **Pamir**
Ambassador
Permanent Representative

Annex to the letter dated 18 May 2001 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

[15 May 2001]

I have the honour to enclose a copy of the letter dated 15 May 2001 addressed to you by His Excellency Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, in connection with your forthcoming report on the United Nations operation in Cyprus (see enclosure).

(*Signed*) Aytuğ **Plümer**
Representative
Turkish Republic of Northern Cyprus

Enclosure

[15 May 2001]

On the eve of the publication of your six-monthly report on the United Nations Operation in Cyprus covering the first half of 2001, I deem it necessary to bring to your kind attention the following points, which I believe should be given due consideration and coverage in your report.

As a matter of priority, any references to the so-called "Government of Cyprus" or to its by-products, such as the "National Guard" or "Cyprus Police", should be avoided in the report. Such terminology reflects neither the realities nor the legal/legitimate status in Cyprus.

In connection with an issue of utmost importance, namely the issue of consent, I wish to recall the implications of the two previous instances involving the adoption by the Security Council of its resolutions 1303 (2000) and 1331 (2000) and the abandonment of the well established practice of issuing an addendum to your report. I wish to reiterate that in December 1999, the addendum had referred to the principle of **consent** and the need "**to develop modalities of United Nations Peacekeeping Force in Cyprus (UNFICYP) operations in northern Cyprus**". Not only has the United Nations since refrained from concluding an agreement with the Turkish Cypriot party, which would comprise such modalities, but no reference has been made to the principle of consent and the well established practice of issuing and addendum has been dropped altogether.

I hope and trust that the same mistaken procedure will not be repeated in your report and that an addendum will be issued, underlining the need to obtain the consent of the Turkish Cypriot party for the extension of the mandate of UNFICYP for a further six-month period and to develop the modalities of UNFICYP operations in Northern Cyprus. To that end, I wish to inform you that we are prepared to continue and conclude the discussions that we had undertaken with UNFICYP authorities with a view to developing such modalities.

In that connection, I wish to draw your kind attention to the report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) concerning United Nations peacekeeping forces, issued on 6 April 2001 (A/55/874). Paragraph 27 of the said report clearly states that "**status of forces agreements and memoranda of understanding are essential instruments for defining the rights and obligations of the missions in the operational area**". In the report, the concern of the Committee is also expressed regarding United Nations operations which are conducted without such instruments being in place, and the report cites a number of examples of the difficulties facing United Nations forces around the world as a result. The findings of the Committee clearly support the need for the conclusion of an agreement between the United Nations and the Turkish Cypriot party for the successful conduct of mission operations.

I also wish to recall that until June 2000, in one way or another, the consent of both parties had been sought by the Security Council. This is in line with the United Nations principle that peacekeeping in any area of the world is conducted with the consent of the parties involved, regardless of any political considerations. In this context, it is noteworthy that the high-level panel which convened in March 2000 under your auspices to undertake a thorough review of United Nations peace and

security activities concluded the following as the guiding principles of a United Nations peacekeeping operation:

> "**The Panel concurs that consent of the local parties, impartiality and use of force only in self-defence should remain the bedrock principles of peacekeeping.**" (see A/55/305-S/2000/809)

Indeed, most recently such consent was sought from and given by the Government of the Turkish Republic of Northern Cyprus in connection with the upcoming replacement of the Austrian contingent with the Slovak contingent, and it was requested that our consent would be reflected in your upcoming report. It is our justified expectation that this position will be duly incorporated in your report.

A humanitarian issue that we believe should also be addressed in your report is the continuation of the inhuman embargoes imposed on the Turkish Cypriot people by the Greek Cypriot administration, aimed at bringing about the economic, social and political subjugation of the Turkish Cypriot people, the same party with whom the Greek Cypriots are supposed to form a **new partnership**. These embargoes, which have been recorded in some of the previous reports of the Secretary-General to the Security Council and to the Economic and Social Council, extend to all spheres of life, including commercial, sporting and cultural activities as well as travel and communications (see S/1998/488, sect. B, para. 15, and E/CN.4/2001/31, para. 7). As these embargoes continue with full force, we believe that reference to them must also continue in your reports.

There can be no justification for ignoring such a gross and blatant violation of the human rights of the Turkish Cypriots since 1963, when even the normal living conditions of a small number of Greek Cypriots residing in the TRNC are unjustifiably kept under close scrutiny and observation. This seems to us like the result of a chronic double standard vis-à-vis the two parties to the Cyprus dispute, to the disadvantage of the Turkish Cypriot side.

A specific case of the practice of double standards has been the attitude adopted towards the forceful abduction of Turkish Cypriot citizen Ömer Gazi Tekoğul by Greek Cypriot policemen from the only mixed village of Pyla, which is under UNFICYP control. It should be stressed that Pyla is situated in the United Nations-controlled buffer zone, where the Greek Cypriot police have no right to be present let alone make an arrest. To add insult to injury, after a 110-day ordeal at the hands of the Greek Cypriot police, on 20 March 2001 Mr. Tekoğul was "sentenced" to 10 years in jail on the fabricated charge of possessing and intending to supply narcotic substances. The United Nations has so far been totally silent on this matter although it knows full well that the aforesaid individual was abducted from a United Nations-controlled area. We hope and expect that this silence is broken and the case of this unfortunate victim of Greek Cypriot violation of human rights finds due coverage in your upcoming report.

It should be noted that the Greek Cypriot administration continues to arm itself with the purchase of sophisticated weaponry at an expenditure rate in excess of two million dollars a day, which, in per capita terms, is among the highest in the world. The amount of money earmarked for armaments for the period covering 1997-2001 is approximately US$ 2.25 billion, as also confirmed in Greek and Greek Cypriot press reports (see, for example, the Greek Cypriot weekly magazine, *Periodiko*, of 23 July 1999) and other public sources.

In the context of the implementation of the "Joint Military Doctrine", the Greek-Greek Cypriot duo have recently carried out provocative military exercises, code-named *Toxotis-Vergina*, on 25 and 26 April 2001. Among the sophisticated weaponry featured in these exercises, carried out in the South Cyprus-Crete-Rhodes triangle, were Bell helicopters recently donated by Greece, as well as TOR-M1 and S-300 missiles stationed, respectively, in South Cyprus and Crete. Greek warplanes, transport planes, Greek warships and a submarine also took part in the naval exercises held near the Paphos coast.

A potentially dangerous development of late has been the Greek Cypriot side's rekindling of the S-300 missiles issue. Mr. Clerides, at a news conference of 2 April 2001, has expressed the intention of the Greek Cypriot leadership to deploy the S-300 missiles on the island, by boasting: "**We could bring the S-300s at any time**" (English language Greek Cypriot daily, *Cyprus Mail*, of 3 April 2001).

The policy of escalation and tension pursued by the Greek Cypriot side is not confined only to the above-mentioned massive armament programme or the joint military exercises carried out with Greece but also involves statements of an extremely provocative nature. In this regard, I would like to refer to the anti-Turkish slogans chanted in a Greek Cypriot military camp during routine training exercises, which appeared in the Greek Cypriot daily, *Haravgi*, dated 22 March 2001, under the apt heading "*Chauvinistic Slogans at the Greek Cypriot National Guard*":

> "**Turks, Turks, you will die. You will die in front of the blue and white flag.**"

and

> "**All Turks must be driven out to sea**".

The Greek Cypriot National Guard officer conducting these exercises, upon being questioned by an ordinary Greek Cypriot about the "wisdom" of using such chauvinistic slogans, defended this practice by the shocking remarks "**What are you bothered about? We <u>will</u> kill all Turks!**"

These slogans are yet another demonstration of the fact that the planting of seeds of hatred towards the Turkish Cypriot people in the minds of Greek Cypriot youths, whether military or civilian, is institutionalized on the Greek Cypriot side and is passed from generation to generation. This clearly points to the urgent need to address the issue through appropriate confidence-building measures.

I would appreciate it if the above-mentioned views are taken into due consideration in the interests of issuing an impartial, fair and in-depth report reflecting the realities of the island.

(*Signed*) Rauf R. **Denktaş**
President